

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NOVOZYMES A/S and
NOVOZYMES NORTH AMERICA,
INC.,

JUDGMENT IN A CIVIL CASE

Plaintiffs,

Case No. 10-cv-251-bbc

v.

DANISCO A/S, GENENCOR
INTERNATIONAL WISCONSIN,
INC., DANISCO US INC. and
DANISCO USA INC.,

Defendants.

This action came before the court and a jury with District Judge Barbara B. Crabb presiding. The issues have been considered and tried and the jury has rendered its verdict.

IT IS ORDERED AND ADJUDGED

that judgment is entered:

1. in favor of defendants Danisco A/S, Genencor International Wisconsin, Inc., Danisco US Inc. and Danisco USA Inc. on plaintiffs Novozymes A/S's and Novozymes North America, Inc.'s claims that defendants' "whole broth" products infringe claims 1-5, 8-13 and 15-16 of U.S. Patent 7,713,723, either literally or under the doctrine of equivalents; in favor of defendants on their counterclaim that their "whole broth" products do not infringe claims 1-5, 8-13 and 15-16 of the '723 patent.

2. in favor of plaintiffs on their claims that defendants' "clarified" products

infringe claims 1-5, 8-13 and 15-16 of the '723 patent; in favor of plaintiffs on defendants' counterclaim that their "clarified" products do not infringe claims 1-5, 8-13 and 15-16 of the '723 patent.

3. in favor of plaintiffs on defendants' counterclaims for inequitable conduct and prosecution laches;

4. in favor of plaintiffs on defendants' counterclaims that claims 1-17 of the '723 patent are invalid because they lack an adequate written description, are not enabled and were derived from defendants;

5. plaintiffs are awarded the amount of \$8,151,000 for loss of sales of its Liquozyme products and \$8,508,500 for loss of sales of glucoamylase;

6. plaintiffs are awarded a reasonable royalty of \$1,560,000 for those infringing sales for which plaintiffs did not prove its entitlement to lost profits; and

7. defendants' infringement of the '723 patent was willful.

Approved as to form this 27th day of October, 2011.

Barbara B. Crabb
Barbara B. Crabb,
District Judge

Peter Oppeneer
Peter Oppeneer, Clerk of Court

10/27/11
Date